

IN THE UNITED STATES COURT OF APPEALS FOR THE EIGHTH
CIRCUIT

FILED

FEB 12 2024

UNITED STATES,

24-1202

Plaintiff-Appellee,

**MICHAEL GANS
CLERK OF COURT**

vs.

**MOTION FOR PERMISSION
TO FILE SEALED
DOCUMENTS**

RICHARD WESLEY MARSHALL,

Defendant-Appellant.

COMES NOW the defendant-appellant and moves this Court, pursuant to 8th Cir. R 25A(h) for an Order allowing filing of certain documents under seal. In support of this motion counsel states as follows:

1. This is an appeal pursuant to Fed. R. App. P. 9.
2. The defendant-appellant has been directed, via letter dated 2/2/24, to provide this Court with the documents relied on by the district court in reaching its decision.
3. Some of those documents were filed under seal due to the nature of some of the investigative and personal information contained therein and remain sealed in the district court.
4. Counsel believes this motion for permission to seal may be made publicly available on PACER.

WHEREFORE, for the aforementioned reasons counsel requests permission to file those sealed documents from the district court under seal in this Court.

RECEIVED

FEB 12 2024

**U.S. COURT OF APPEALS
EIGHTH CIRCUIT**

~~_____~~ RICHARD WESLEY MARSHALL, Defendant-Appellant.

s/ Jerry M. Hug

Counsel of Record
NE BAR #21015
HUG & JACOBS LLC
209 S 19th St # 340
Omaha, NE 68102
402-614-6160
jerry@hugandjacobs.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 9th day of February 2024 the above was mailed via US Postal Service, postage prepaid to:

Thomas Kangior
Assistant United States Attorney
1620 Dodge St #1400
Omaha NE 68102

/s/ Jerry M. Hug